

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:

TONY GLENN

V

) No. 02-0576

PEOPLES GAS LIGHT AND COKE COMPANY

Complaint as to billing/charges
in Chicago, Illinois

Chicago, Illinois
June 30, 2003

Met pursuant to notice at 10:00 a.m.

BEFORE :

MR. JOHN RILEY, Administrative Law Judge.

APPEARANCES:

MR. TONY GLENN,
11127 South Homewood,
Chicago, Illinois 60643,
appeared pro se;

MR. PETER BRIGIDA,
130 East Randolph Drive,
Chicago, Illinois,
appeared for the Respondent,
telephonically.

SULLIVAN REPORTING COMPANY, by
Teresann B. Giorgi, CSR

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2			Re- By
3	<u>Witnesses:</u>	<u>Dir.</u> <u>Crx.</u> <u>dir.</u> <u>crx.</u>	<u>Examiner</u>
4	NONE		
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10		<u>E</u> <u>X</u> <u>H</u> <u>I</u> <u>B</u> <u>I</u> <u>T</u> <u>S</u>	
11	<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
12	NONE		
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1 JUDGE RILEY: Pursuant to the direction of the
2 Illinois Commerce Commission, I'll now call
3 Docket 02-0576. This is a complaint by Tony Glenn
4 verus Peoples Gas Light and Coke Company as to
5 billing and charges in Chicago, Illinois.

6 Mr. Glenn, would you enter an
7 appearance for the record, please.

8 MR. GLENN: Sure. My name is Tony Glenn. I
9 live at 11127 South Homewood, Chicago, Illinois
10 60643, 2nd floor.

11 JUDGE RILEY: Thank you. And for Peoples Gas.

12 MR. BRIGIDA: Peter Brigida on behalf of The
13 Peoples Gas Light and Coke Company, 130 East
14 Randolph Drive, Chicago, Illinois 60601, the
15 telephone number is 312-240-4461.

16 JUDGE RILEY: Thank you.

17 Well, it was my clear understanding
18 from reading my notes and the transcript from our
19 last status on June 11th, that the parties seem to
20 me have pretty much reached an impasse as far as
21 this exchange of information is concerned. I really
22 don't know what else to do regarding this matter.

1 Has any progress been made,

2 Mr. Brigida?

3 MR. BRIGIDA: Judge, I responded to Mr. Glenn's
4 interrogatories and requests on June 20th. I
5 responded to those requests that you set forth in
6 your order of April 28th.

7 JUDGE RILEY: All right. And Mr. Glenn, have
8 you forwarded anything --

9 MR. GLENN: I have not forwarded anything to
10 Mr. Brigida. But I also, from the last hearing when
11 we left here, I called him the next day and I got
12 his voice mail. And I explained to Peter that I was
13 not going to immediately have that information by
14 that Friday because I was going to seek counsel
15 throughout the week there. And as soon as I had
16 done that, I would try and have something by the
17 next hearing. So, I also left him a message if he
18 had any questions regarding that to call me back.

19 Did you get that message?

20 MR. BRIGIDA: I got that message. And my
21 recollection, basically, was that he stated that he
22 wasn't going to be responding at this point.

1 MR. GLENN: Yeah. I said I wasn't going to
2 respond without talking to counsel at that time,
3 correct.

4 JUDGE RILEY: Mr. Brigida, what are you waiting
5 for from Mr. Glenn?

6 MR. BRIGIDA: Judge, there's a number of things,
7 actually.

8 MR. GLENN: But before we can go there, Peter, I
9 got this -- what you sent me, but this is not
10 anything near what I requested.

11 JUDGE RILEY: All right. Gentlemen, I'm not
12 going to go back and forth on this anymore.

13 MR. GLENN: But, Judge, you should see this. I
14 don't know if he sent you a copy. But he sent me a
15 copy of my current bill, nothing regarding the
16 request. I spent \$125 to counsel last week for me
17 to sit down with some attorney with all these papers
18 that I have in front of me.

19 You asked me to go back, request --
20 put down everything that I wanted and it's already
21 in the documentation that I'm requesting the data
22 request from Peoples Gas.

1 JUDGE RILEY: Well, isn't that what Mr. Brigida
2 said was not specific enough?

3 MR. GLENN: But it was -- Judge, you should read
4 this. The attorney read it. It specifically states
5 what I'm looking for, a lease agreement, application
6 of support of service activation, confirmation of
7 service and agreement, any computer records in the
8 name of Tony Glenn --

9 MR. BRIGIDA: Judge --

10 MR. GLENN: -- benefits of that time. And what
11 he sent me --

12 JUDGE RILEY: All right. Hold on a minute.

13 MR. BRIGIDA: Judge, this is the third time --

14 MR. GLENN: Let me --

15 JUDGE RILEY: Let Mr. Glenn finish and then I'll
16 get to you.

17 MR. GLENN: What he sent me, Judge, was a copy
18 from August 7th, before we even started this
19 inquiry, from Peoples Gas, about that address and
20 inquiring about if I owed that. Another one,
21 August 7th, which I got these already from the gas
22 company beforehand. Then, he sends me all my bills

1 from my current address. And that's not what I
2 requested.

3 I requested that you send me something
4 that has my name or any activation of lease
5 agreement, application or any kind of service that
6 you have in my name from these two addresses that
7 you are accusing that I lived at, and you have not
8 done that. And it specifically spells out in the
9 first data request that I sent over to you. And
10 it's self-explanatory. He didn't send me anything.

11 JUDGE RILEY: Mr. Brigida, response?

12 MR. BRIGIDA: Judge, this is the third time
13 we've gone over these document requests, the
14 specific request or information that he's asked
15 about. You know, I've raised objections the whole
16 time and you've agreed that the requests that he's
17 asking for are simply over broad and vague. He was
18 to narrow down those requests on three separate
19 occasions and he hasn't.

20 And Judge, what I responded to was
21 exactly what you ordered me to respond to on your
22 April 28th order. And in your April 28th order you

1 also required Mr. Glenn to submit to respondent a
2 revise request for Documents No. 1 through 4
3 specifying the document by document name or by
4 detailed description what documents he wishes
5 respondent to produce. He hasn't done that.

6 MR. GLENN: I have done that, Peter.

7 Peter, look at the first data request
8 I sent. I'm not asking anything more than what I'm
9 asking there. How much --

10 JUDGE RILEY: Mr. Glenn, what you're asserting
11 then is that your original request is specific
12 enough.

13 MR. GLENN: Yes.

14 JUDGE RILEY: And Mr. Brigida is saying it's
15 not.

16 MR. GLENN: But Judge --

17 JUDGE RILEY: What did he submit to you? Show
18 me what he sent you.

19 MR. GLENN: Okay. Let me show you what he sent
20 me. This is what he sent me (indicating).

21 All those are just copies of my
22 current address.

1 (Short pause.)

2 JUDGE RILEY: Now, Mr. Brigida, you say that he
3 has not complied with your request to provide you
4 specifics. Mr. Glenn says that his attorney told
5 him -- or that someone told him --

6 MR. GLENN: Yeah.

7 MR. BRIGIDA: Well, Judge, I mean, regardless of
8 what his attorney told him, you've ruled on this, I
9 believe, three times now, stating that his request
10 for Documents Nos. 1 through 4 are not adequate,
11 they're vague and over broad. And he was supposed
12 to revise them three times and he hasn't done that.

13 JUDGE RILEY: I understand that and that's your
14 position.

15 MR. BRIGIDA: Absolutely.

16 And your order also states that I am
17 to keep my previous agreement to fully comply with
18 complainant's Interrogatories No. 1 and 2 and Data
19 Requests 5 through 7.

20 JUDGE RILEY: And you assert that you've done
21 that to the best of your ability.

22 MR. BRIGIDA: Yes.

1 JUDGE RILEY: All right.

2 MR. BRIGIDA: Absolutely.

3 JUDGE RILEY: Mr. Glenn, you dispute this.

4 MR. GLENN: Yes, Judge, I dispute it.

5 JUDGE RILEY: Well, as I said, we're at an
6 impasse here. The parties are not in agreement. I
7 don't know what else we can do besides set a hearing
8 date --

9 MR. BRIGIDA: Judge --

10 JUDGE RILEY: -- and come forward with our
11 evidence.

12 MR. BRIGIDA: Judge, I ask that his case be
13 dismissed. He's not --

14 MR. GLENN: I'm asking that your case be
15 dismissed.

16 JUDGE RILEY: Excuse me. Excuse me. I've had
17 about enough of this.

18 MR. BRIGIDA: Judge --

19 JUDGE RILEY: State your business, Mr. Brigida.

20 MR. BRIGIDA: -- if I could, we've had three
21 rulings requiring him to comply with my discovery
22 requests and he's failed to do that, on three

1 separate occasions. I mean, there's a point in time
2 where if he fails to provide documents and fails to
3 comply with orders, which you've issued three
4 different times, appropriate action should be taken.
5 And every time he's to provide something, he
6 doesn't. He left me a message last week saying he
7 wasn't going to comply.

8 When we were at the status hearing
9 previous to this, he had the documents there and
10 stated he didn't want to show them to me. He did
11 not want to provide me with copies. I don't know
12 what else I can do to force him to comply. I can't
13 do anything at this point.

14 MR. GLENN: Peter, the same thing with you. I
15 mean, I turned this request in March 18th. I have
16 not gotten one single thing from you except for
17 duplication of my current bills and everything that
18 Peoples Gas sent me before you even took on this
19 case.

20 Do you have any evidence? Show me
21 where I was at these addresses. Show me a lease.
22 Show me an application. Show me something

1 computerated (sic) generated bills. Show me
2 something that puts me there.

3 I've been requesting that, Judge, from
4 him from Day 1.

5 MR. BRIGIDA: Judge --

6 MR. GLENN: And he gives me this (indicating).
7 I got it on June 20th, prior to me telling him that
8 I was going to seek counsel for confirmation. And I
9 went in and I sat down, Judge, with an attorney for
10 one hour at \$145. And the man read through my
11 documentation and he doesn't see anything that
12 Peoples Gas has provided me in conjunction with what
13 my request was.

14 MR. BRIGIDA: Judge, we --

15 MR. GLENN: That's all I was asking.

16 And Peter, you have not given me
17 anything except for what I already had. I had these
18 documents already. So, why did you give me this?

19 MR. BRIGIDA: Judge, the way I see things now is
20 I have answered all of his --

21 MR. GLENN: No, you haven't.

22 MR. BRIGIDA: -- requests -- Tony, if I could

1 speak, please.

2 I've answered all his requests that
3 are valid. The ones that are not valid, I've
4 objected to and I've had rulings from you stating
5 that my objections were valid.

6 Mr. Glenn has not responded adequately
7 to my data requests. And he's been ordered to do so
8 three times.

9 MR. GLENN: I have turned in information to you
10 as the best of my knowledge, Peter.

11 MR. BRIGIDA: And --

12 MR. GLENN: What's wrong with document -- my
13 Request No. 3, No. 4, No. 5, No. 6?

14 All I'm asking is, show me a lease
15 agreement that I signed or executed. Show me an
16 application. All this information is right here in
17 Data Request No. 3, No. 4, No. 5, No. 6. Give me
18 confirmation that I had service agreement then.
19 Give me some computerated -- computerized records.
20 When I was here before you told me you had some
21 stuff in the archives that you were going to go back
22 and pull out. What happened to that?

1 All I want is, show me that I lived at
2 this address. That's all I'm asking.

3 MR. BRIGIDA: Judge, I'm not even going to
4 respond to that because, again, we've been over this
5 three times. It's been pointed out to Mr. Glenn
6 three different times why those requests are not
7 valid. And he's had the ability to correct them on
8 three separate occasions and he's chosen not to.

9 MR. GLENN: Peter, so did you.

10 Peter, all I'm asking, do you have any
11 bills from these addresses that have my name on
12 them?

13 MR. BRIGIDA: Tony, I'm not going to get into
14 this with you at this point.

15 JUDGE RILEY: Let me see that, again.

16 MR. GLENN: (Indicating.)

17 Judge, there's nothing on there. And
18 the reason why he's doing this is because he don't
19 have anything, and he knows it.

20 JUDGE RILEY: One of the things that disturbs me
21 about this, and I'm not going to get into any more
22 detail than this. What you sent Mr. Glenn, these

1 duplicate bills are all from 2002, 2003.

2 MR. BRIGIDA: Uh-hum.

3 JUDGE RILEY: I thought that he was disputing a
4 period of time almost 10 to 12 years ago.

5 MR. GLENN: Yes.

6 MR. BRIGIDA: Judge --

7 JUDGE RILEY: Go ahead.

8 MR. BRIGIDA: -- the reason -- now, you're
9 looking at Request No. 5, correct?

10 JUDGE RILEY: Well, if it's the duplicate copies
11 of the bills, yeah.

12 MR. BRIGIDA: I believe that is.

13 And Request No. 5 is, Provide all
14 correspondence sent by Peoples Gas Light and Coke
15 Company to Tony Glenn or other known or unknown
16 individuals in reference to alleged outstanding
17 balance owed for the residence at 4341 North
18 Kenmore, Illinois during the period July '92 through
19 July '93.

20 Even though that is vague, I decided
21 we're going -- we provided him with copies of
22 everything we've sent to him that we still have the

1 actual copy of.

2 JUDGE RILEY: So, this is all that's available
3 is what you're saying.

4 MR. BRIGIDA: I'm saying that's the
5 correspondence that's available. We have computer
6 records showing what other, you know, types of
7 things that were sent out, but that's not actual
8 correspondence.

9 MR. GLENN: What do you mean sent out, Peter?
10 What do you mean? Sent where? You haven't sent me
11 a bill --

12 JUDGE RILEY: Hold it. Hold it. Hold it.
13 All right, Document Request No. 5,
14 Provide all correspondence sent by Peoples Gas Light
15 and Coke Company to Tony Glenn or other known and
16 unknown individuals in reference to the alleged
17 outstanding balance of 572.63 owed for the residence
18 at 4341 North Kenmore, Chicago, Illinois, and I've
19 got -- I thought we corrected that to January '90
20 through July '93.

21 MR. GLENN: Yeah, we did correct it on my other
22 page.

1 JUDGE RILEY: Now, Attachment 5 contains an
2 August 7, 2002, letter from the Illinois Commerce
3 Commission to Mr. Glenn; an August 7, 2002 letter
4 from Mr. Glenn -- I'm sorry, let me back up.

5 The first August 7, 2002 letter is
6 from a Mr. E. Jeffers (phonetic) of Customer Service
7 to Master Pedro (phonetic) of the Commerce
8 Commission and it's with regard to Mr. Glenn's
9 complaint to Consumer Services.

10 Then there was another letter
11 August 7, 2002, addressed to Mr. Glenn from
12 K. Staley (phonetic) of Special Services.

13 And following that there's another
14 piece of correspondence from Customer Care, no name,
15 to the address of 11127 South Homewood, but no name,
16 and it's got the notation stamped on there Duplicate
17 Bill. And after that it's a series of duplicate
18 bills -- actual duplicate bills to Mr. Glenn at his
19 address on Homewood Avenue, in 2002 and 2003.

20 Mr. Brigida, is it my understanding
21 then that that is in full compliance with Document
22 Request No. 5?

1 MR. BRIGIDA: Yes.

2 JUDGE RILEY: That there's nothing else
3 available.

4 MR. BRIGIDA: There is no other correspondence
5 available.

6 JUDGE RILEY: All right. Then, that's why he
7 sent that to you. That's all there is.

8 And there was nothing going back to
9 1990 through 1993?

10 MR. BRIGIDA: We wouldn't keep copies of actual
11 correspondence. No.

12 JUDGE RILEY: All right. There wouldn't be any
13 computerized version of it or --

14 MR. BRIGIDA: There'd be no computerized
15 version. What we'd have is a notation saying a bill
16 went out on this date for this amount. But an
17 actual piece of correspondence, no.

18 JUDGE RILEY: All right. What Peoples Gas is
19 saying is even though you didn't respond to them
20 with the specificity that they asked for, they
21 responded back to you with whatever they could.

22 MR. GLENN: But Judge, I asked for that before

1 in my data request. It says it right here, lease
2 agreement, application, any support of service
3 activated in my name. He has -- I mean, this
4 already had this information right here. This is
5 nothing new here (indicating).

6 JUDGE RILEY: All right. But, then, is it my
7 understanding from Peoples Gas that the information
8 that he's asking for in his interrogatories and data
9 requests is simply not available?

10 MR. BRIGIDA: Judge, again, what I responded to
11 was this, I responded to Interrogatories No. 1 and 2
12 and Data Requests No. 5 and 7 -- not 5 through 7, 5,
13 6 and 7.

14 Again, we've had rulings several times
15 that my objections to his Requests Nos. 1, 2, 3 and
16 4 were valid. And that Mr. Glenn was to provide me
17 Revised Request Nos. 1, 2, 3 and 4 and he has failed
18 to do this, basically, three separate times now.

19 MR. GLENN: Peter, I don't want --

20 MR. BRIGIDA: And my objections to Nos. 1, 2, 3
21 and 4 still stand. And according to your ruling,
22 Judge, they're valid. Therefore, I did not respond

1 to them.

2 MR. GLENN: I don't see why they were be not
3 valid, Peter. Why? I mean, I can't get no (sic)
4 specific than what I got right there.

5 MR. BRIGIDA: Judge, I really don't want to go
6 over this again. I mean, it seems to me a waste of
7 time --

8 MR. GLENN: Yeah.

9 MR. BRIGIDA: -- for him to keep coming back on
10 the same requests, when all he had to do is revise
11 them. And we, basically, told him exactly how to
12 revise the question.

13 MR. GLENN: Peter, show me where I live -- show
14 me a bill from back then.

15 MR. BRIGIDA: Tony, I'm not going to get into
16 this with you. This is not --

17 MR. GLENN: What do you mean --

18 MR. BRIGIDA: -- this is not how things are
19 handled.

20 And I'm sorry, Judge, but it seems to
21 me that if he's not willing to put forth the effort
22 to revise requests, then I'm not going to go out on

1 a limb and provide him documents which he really
2 hasn't validly requested.

3 MR. GLENN: I have validly requested. I sent
4 you this letter March 18th requesting it. And it
5 specifically spells out what I want.

6 And to me if Peoples Gas have these
7 things, Peter, if you're accusing me of this, then
8 show me.

9 JUDGE RILEY: All right. I've heard everything
10 that I'm going to hear. This is like the fourth or
11 fifth session that we've gone over this stuff. And
12 it's just clear to me that the parties just aren't
13 going to get together on this.

14 MR. GLENN: Judge, I mean, this is --

15 JUDGE RILEY: I know, Mr. Glenn, you have your
16 point of view. Peoples gas has it's point of view.
17 You both think you're right and I can't seem to
18 break the impasse no matter what I do.

19 Mr. Brigida, you want this matter
20 dismissed, that is strictly within the purview of
21 the Illinois Commerce Commission.

22 Are you going to submit a written

1 motion to that --

2 MR. BRIGIDA: If he doesn't comply with

3 discovery, yes, I will.

4 JUDGE RILEY: In other words, if he does not

5 forward to you the data requests with the required

6 specificity --

7 MR. BRIGIDA: No, no, no, Judge. I mean, he's

8 not required to do that.

9 What I'm saying is if he does not

10 respond to my data requests, which, again, we've

11 gone over several times now, things that he was

12 supposed to provide to me, which he hasn't. At the

13 last status he did have numerous documents that he

14 brought with him that he was not willing to let me

15 make copies of, if you recall that. And at that

16 point I stated that that was unacceptable. He's

17 required to provide me copies with those records and

18 he's unwilling to do so.

19 MR. GLENN: Yes, so is he. Show me my records

20 from --

21 MR. BRIGIDA: Tony, if I could speak, please.

22 JUDGE RILEY: No --

1 MR. GLENN: Come on. This is ridiculous.

2 MR. BRIGIDA: Judge, he bears the burden of

3 going forward with this case.

4 MR. GLENN: You bear the burden, too. Show me

5 where I was 10, 12 years ago.

6 MR. BRIGIDA: He's failed to comply with your

7 order --

8 MR. GLENN: So have you.

9 MR. BRIGIDA: -- on three separate occasions

10 now.

11 MR. GLENN: So have you, Peter. You have failed

12 to comply with Request No. 3, 1 through 4. And you

13 have not done that. And I can't get anymore

14 specific than what the Judge and we had the

15 discussion last time when we were in this hearing.

16 It states right there. What's wrong

17 with you, you can't read it?

18 JUDGE RILEY: All right.

19 Mr. Glenn, are you -- let me start

20 over. I'm giving you one last attempt at this.

21 Mr. Brigida, what is still outstanding

22 from Mr. Glenn?

1 MR. BRIGIDA: No, I'm saying that you provided
2 to me, responses, not requests, responses.

3 MR. GLENN: As far as I can recollect, that's
4 all I have.

5 MR. BRIGIDA: Judge, do you want to go through
6 this question by question?

7 JUDGE RILEY: Well, I don't know any other way
8 of doing it, Mr. Brigida. I just don't know --

9 MR. BRIGIDA: Yeah, again, I think we've done
10 this --

11 MR. GLENN: Why are you giving him, The Peoples
12 Gas, the benefit of the doubt --

13 JUDGE RILEY: I'm not.

14 MR. GLENN: -- and not giving me an opportunity
15 here to request what I requested from Peoples Gas
16 Company? I don't understand that.

17 JUDGE RILEY: He's explained that. And I'm
18 trying to find out what he has not received.

19 All right, Mr. Brigida, hold on a
20 minute.

21 (Short pause.)

22 JUDGE RILEY: I've got a copy of his

1 February 14th response.

2 MR. BRIGIDA: And he has a June 9th one, also.

3 JUDGE RILEY: June 9, I don't even know if I

4 have that. Hold on.

5 MR. GLENN: June 9th was -- when you gave me the

6 revised request that you sent to me, asking me to

7 answer No. 3, 4, 5, 6, 7, 11 and 17 and -- 1 through

8 7, 11 and 17 out of the 20 something questions that

9 he had requested before.

10 JUDGE RILEY: I've got it, all right.

11 Give me a second to make a note here.

12 (Short pause.)

13 JUDGE RILEY: What is still outstanding?

14 MR. BRIGIDA: Let's see, my Data Request No. 1,

15 Please provide a copy of complainant's birth

16 certificate and social security card.

17 February 14th, he answered, Not

18 relevant. On June 9th, he answered, Provided copy

19 of passport.

20 So, he has not provided me a copy of

21 his birth certificate or his social security card.

22 MR. GLENN: Why?

1 JUDGE RILEY: All right, hold on. Hold on.
2 Stop.

3 MR. GLENN: Peter, what (sic) do you need a copy
4 of my social security card number? You say you got
5 my social security number on these accounts. What
6 do you need it for?

7 MR. BRIGIDA: Tony, I don't have to provide you
8 the reasons why --

9 MR. GLENN: What do you mean you don't have --

10 MR. BRIGIDA: -- or why --

11 JUDGE RILEY: Strike all this. Strike all this.
12 Strike every bit of it.

13 All right. What else was there?

14 MR. BRIGIDA: No. 2 I asked for, Please list all
15 addresses at which complainant resided at any time
16 from January 1989 through the present for each
17 location listed. Please provide the time period
18 complainant resided at the address and the name,
19 current address, current telephone number and
20 current employer of all individuals who also resided
21 at the address while complainant resided at the
22 address.

1 On February 14th, he responded, Not
2 relevant. On June 9th, he provided me with the
3 addresses, but not specific time periods. He simply
4 listed the time periods by year, not by --

5 MR. GLENN: I don't have that. I gave you the
6 best --

7 JUDGE RILEY: Strike -- again, strike this.
8 This is all argumentative.

9 Continue, Mr. Brigida.

10 MR. BRIGIDA: And also he did not provide the
11 name, current address, current telephone number and
12 current employer of all individuals who also resided
13 at the address while complainant resided there.

14 JUDGE RILEY: Mr. Brigida, I should have dealt
15 with this before, but I'm going to deal with it now.

16 All the names and addresses of all
17 employers of all people who resided there, at each
18 of these addresses?

19 MR. BRIGIDA: If he has the information, yes,
20 Judge.

21 JUDGE RILEY: You've lost me.

22 MR. BRIGIDA: Judge, one of the things he's

1 claiming is that he did not live where we state that
2 he lived. If he's going to simply provide me with
3 addresses at which he did live, what I would like to
4 do is possibly check with people who he claims he
5 lived with to verify his story. I think that's
6 perfectly valid. The information I'm asking for is
7 basically contact information for these people.

8 MR. GLENN: Which I don't have, Judge.

9 MR. BRIGIDA: Which is fine if he does not have
10 that, Judge, but he needs to respond to it.

11 JUDGE RILEY: Mr. Glenn, again, this is why your
12 argumentation and your attitude towards these
13 requests has caused so much difficulty. You're
14 simply not answering these questions as you should.

15 MR. GLENN: Judge, I don't know. I don't know.

16 JUDGE RILEY: Then, Mr. Glenn, it is incumbent
17 upon you to say that you don't know.

18 MR. GLENN: When I did that, Judge, in the first
19 data request, you made me go back and dig down in
20 there. Look at the request there. I answered
21 everything to the best of my ability.

22 My first response to his request was,

1 the best of my ability. Then we broke it down, I
2 tried to do the best I can.

3 JUDGE RILEY: I'm not going to go any further
4 along on this because I just don't see that the
5 parties are going to cooperate with each other. I
6 don't see any sense in going through any more of
7 these data requests on either side.

8 The only thing that I can see to do,
9 with regard to this matter, is to set a date for
10 hearing.

11 Mr. Glenn, I'm going to require you to
12 come in with your evidence --

13 MR. GLENN: Okay.

14 JUDGE RILEY: -- and establish your case.

15 MR. GLENN: Okay.

16 JUDGE RILEY: Your claim is that you did not
17 live at these two particular addresses --

18 MR. GLENN: Absolutely.

19 JUDGE RILEY: -- at the time that they are
20 billing.

21 MR. GLENN: Yes. Correct.

22 JUDGE RILEY: I am going to require you to come

1 in with evidence to establish that.

2 MR. GLENN: Okay.

3 JUDGE RILEY: Gentlemen, I'm not going to waste
4 anymore time with these data requests. We're
5 getting absolutely nowhere. Get your calendars out.

6 MR. BRIGIDA: Judge, I understand your position,
7 but just as a -- I guess, just to provide notice, I
8 will be doing a motion in limine if he doesn't
9 provide these documents to me, and I want to make
10 that clear to Mr. Glenn.

11 MR. GLENN: Well, I'm going to do the same.

12 JUDGE RILEY: That's understood. File your
13 motions as you see fit.

14 Today is June 30, July 30, 10:00 a.m.
15 that's exactly 30 days. That will be hearing at
16 10:00 a.m.

17 MR. GLENN: And at that time, Judge, I'm
18 supposed to bring all the documentation that I have
19 to provide that I did not live at the current --

20 JUDGE RILEY: Bring in your evidence.

21 MR. GLENN: Okay.

22 JUDGE RILEY: Anything that you feel pertains to

1 support your case.

2 MR. GLENN: Okay. So, I don't have to try and
3 answer anymore data request on behalf of The Peoples
4 Gas, correct?

5 JUDGE RILEY: I'm not even going to deal with
6 the question.

7 MR. GLENN: Okay.

8 JUDGE RILEY: We've had repeated sessions on
9 this. I've gotten nowhere. And we've ended up with
10 nothing more than another shouting contest today.
11 And I want to cut it short before anything further
12 is said.

13 Gentlemen, I'm going to continue this
14 matter from today to July 30 at 10:00 a.m. for
15 hearing. And I will only continue it for the most
16 compelling of reasons. File your motions in the
17 meantime and we'll see where we are when we go to
18 hearing on July 30.

19 And Mr. Glenn, again, I advise you
20 that you are the proponent in this matter. You have
21 brought this case. It is your duty to produce your
22 evidence to go forward first --

1 MR. GLENN: Okay.

2 JUDGE RILEY: -- and to establish your case.

3 MR. GLENN: All right.

4 JUDGE RILEY: That's everything that I have,

5 gentlemen. Good morning. Thank you.

6 MR. GLENN: Okay.

7 MR. BRIGIDA: Bye.

8 (Whereupon, the hearing in

9 the above-entitled matter

10 was continued to 7-30-03.)

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